



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, AZ 85003

# FORMAL MEETING AGENDA

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Wednesday, April 15, 2009  
9:00 AM**

Agendas are available at least 24 hours prior to each meeting in the Office of the Clerk of the Board, 301 West Jefferson, Tenth Floor, Phoenix, Arizona, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. and on the internet at [http://www.maricopa.gov/Clk\\_board/Agendas.aspx](http://www.maricopa.gov/Clk_board/Agendas.aspx). One or more Board members may attend telephonically. Board members attending telephonically will be announced at the meeting. The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3). Accommodations for individuals with disabilities, including alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours' advance notice through the Office of the Clerk of the Board, 301 West Jefferson Avenue, Tenth Floor, Phoenix, Arizona 85003, (602) 506-3766, Fax (602) 506-6402, TDD (602) 506-2348. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.

*See the Clerk and fill out a speaker's form if you would like to address the Board regarding any matter on the agenda.*

## Table of Contents

BOARD OF SUPERVISORS.....	3
STATUTORY HEARINGS .....	3
Clerk of the Board .....	3
Public Works .....	4
AGENCY ITEMS AND STATUTORY MATTERS.....	5
COUNTY OFFICERS .....	5
Sheriff.....	5
Superintendent of Schools.....	7
DEPUTY COUNTY MANAGER.....	8
Public Health.....	8
ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION.....	11
Animal Care & Control Services .....	11
Human Services.....	12
CHIEF FINANCIAL OFFICER .....	13
Finance .....	13
Materials Management .....	14
ASSISTANT COUNTY MANAGER - PUBLIC WORKS .....	16
Public Works .....	16
BOARD OF SUPERVISORS.....	17
Industrial Development Authority .....	17
SETTING OF HEARINGS .....	18
Planning and Development.....	18
Public Works .....	18
CONSENT AGENDA.....	20
Clerk of the Board .....	20
BOARD OF SUPERVISORS ADDENDUM.....	21
Clerk of the Board .....	21
Human Services.....	21
Risk Management .....	22
Emergency Management.....	22
Public Works .....	22
Environmental Services .....	23
FLOOD CONTROL DISTRICT AGENDA.....	24
FLOOD CONTROL DISTRICT ADDENDUM .....	26
LIBRARY DISTRICT AGENDA .....	26
LIBRARY DISTRICT ADDENDUM.....	26
CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS .....	28
CODE ENFORCEMENT REVIEW .....	28
PLANNING AND ZONING AGENDA .....	29
CONSENT AGENDA .....	29
REGULAR AGENDA .....	29

*The Maricopa County Clerk's Office presents this summarized information as a service to the public. The Clerk does not guarantee the accuracy of the data or information presented and expressly disclaims any responsibility for errors or damages resulting from the use of the information contained herein. The approved meeting minutes of the Board of Supervisors are the official publication of all legal actions taken by the Board.*

**GREEN – APPROVED / RED – DENIED / BLUE – CONTINUED**  
**GOLD – WITHDRAWN / BROWN – NO ACTION**

- 1. INVOCATION – NO ACTION**
- 2. PLEDGE OF ALLEGIANCE – NO ACTION**
- 3. ROLL CALL – NO ACTION**

## **BOARD OF SUPERVISORS**

- 4. Pet Showcase by Maricopa County Animal Care and Control. – NO ACTION**

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **5. LIQUOR LICENSE APPLICATIONS**

This is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

**a. LOCATION TRANSFER FOR VISTA VERDE GOLF CLUB – WITHDRAWN**

Pursuant to A.R.S. §4-203, approve an application filed by James Stephen Thomson for a Location Transfer of a Series 7 Liquor License for Vista Verde Golf Club from 18402 El Circulo Drive, Rio Verde, AZ 85263 to 17478 E. Lonesome Canyon Drive, Rio Verde, AZ 85263 . (AZ #07070183) (Supervisory District 2) (C-06-09-338-L-00)

**Does not meet Planning and Development requirements.**

**b. NEW LICENSE FOR TAILGATER'S SPORTS GRILL – APPROVED**

Pursuant to A.R.S. §4-201, approve an application filed by Larry Fussey for a New Series 12 Liquor License for Tailgater's Sports Grill at 5110 N. Dysart Road Litchfield Park, AZ 85340. (AZ #12077904) (Supervisory District 4) (C-06-09-336-L-00)

**c. PERSON AND LOCATION TRANSFER FOR MESA EAST BOWL, INC. – APPROVED**

Pursuant to A.R.S. §4-203, approve an application for a Person to Person Transfer

and a Location Transfer of a Series #06 Liquor License from Kristen Kahn to Ivan Krstic for Mesa East Bowl, Inc. from 525 S. Gilbert Road #7, Mesa, AZ 85204 to 9260 E. Broadway, Mesa, AZ 85208. (AZ #06073006) (Supervisory District 2) (C-06-09-355-L-00)

**d. TEMPORARY EXTENSION OF PREMISES/PATIO FOR GAVILAN PEAK SPORTS BAR & GRILL – APPROVED AS AMENDED**

Pursuant to A.R.S. §4-207.01, approve an application filed by Michael R. Thomas for a Temporary Extension of Premises/Patio of a Series 06 Liquor License for Gavilan Peak Sports Bar & Grill at 46639 N. Black Canyon Highway, New River, AZ 85087 from 6:00 a.m. to 7:00 p.m. for the following dates: (Supervisory District 3 ) (C-06-09-375-L-00)

- April 18, 19, 25 & 26;
- May 2, 3, 9, 10, 16, 17, 23, 24, 25 & 30;
- June 13, 14, 20 & 21

**e. SPECIAL EVENT FOR SPEEDWORLD R/C FLYERS – APPROVED WITH STIPULATION**

Pursuant to A.R.S. §4-203.02, approve a Special Event Liquor License Application filed by Randell Dauer for the Speedworld R/C Flyers at 19421 W. Jomax Road, Wittmann, AZ 85361 to be held on May 1, 2 and 3, 2009 from 12:00pm to 1:00am. (Supervisory District 4) (C-06-09-376-L-00)

**Planning and Development recommends denial.**

**6. PUBLIC SERVICE FRANCHISE - NEWPATH NETWORKS**

Pursuant to A.R.S. §40-283, convene the scheduled public hearing to solicit comments and consider the application by Newpath Networks, for a public service franchise for a residential wireless communications system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C-06-09-330-L-00)

**Public Works**

**7. ROAD FILE DECLARATIONS – APPROVED**

Approve, by resolution, petitions to open and declare the following roads into the county highway system. This action will serve as notice of the Board of Supervisors' acceptance of all U.S. Patent easements, reservations, rights-of-way or properties along the alignments into the Maricopa County highway system and will also authorize the maintenance and acquisition of the necessary rights-of-way through donation, purchase, or condemnation.

**a. ROAD FILE NO. 5808**

Road File No. 5808 - General Vicinity: Pinnacle Peak Road and El Mirage Road.

This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-131-M-00)

**b. ROAD FILE NO. 5809**

Road File No. 5809 - General Vicinity: El Mirage Road and Pinnacle Peak Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4. (C-91-09-136-M-00)

**AGENCY ITEMS AND STATUTORY MATTERS**

**COUNTY OFFICERS**

**Sheriff**

**8. ONE-TIME ADDITIONS TO THE FLEET OF TWO GRANT-FUNDED VEHICLES FOR HOMELAND SECURITY – APPROVED**

Approve one-time additions to fleet of two 1-Ton Crew Cab 4X4 Trucks valued at \$113,599.00 (\$56,799.50 each). The Sheriff's Office was awarded funding designated for these purchases from the Arizona Department of Homeland Security Award Agreement 07-AZDOHS-LETPP-333212-05, approved by the Board of Supervisors on September 3, 2008 (C-50-09-004-G-00). These items have undergone the needs justification process required by Office of Management and Budget prior to release.

The estimated annual operating costs of these vehicles is \$5,500 each to be supported through the Intelligence Bureau, Counter Terrorism/Homeland Security Division; General Fund (100). These are one-time additions to the fleet and the vehicles will be retired at the end of their useful lives with no funding from the general fund for their replacement. (C-50-09-065-V-00)

**9. ADDITIONAL GRANT FUNDS FROM THE ARIZONA CRIMINAL JUSTICE COMMISSION HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM – APPROVED**

Approve acceptance of an increase of \$92,000 in grant funds from the Arizona Criminal Justice Commission (ACJC), High Intensity Drug Trafficking Area (HIDTA) ACJC Grant Number HT17-07-1113 for the Maricopa County Methamphetamine Task Force Initiative XVII that was approved by the Board of Supervisors on March 21, 2007 (C-50-07-541-3-ZZB/C-50-07-546-3-00-A). The term of the Agreement is October 1, 2007 through September 30, 2009.

Also, approve an exception to the Technology Finance Program (TFP) that allows the Sheriff's Office to proceed with the purchase of the KingFish System.

This increase will bring the total award from \$386,177 to \$477,262. The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this increase are estimated to be \$1,207.80. A portion of these expenses are capital equipment purchases and not subject to indirect costs. The Sheriff's Office has participated in HIDTA grants for approximately ten years. (C-50-07-546-3-02)

**10. FUNDS FOR COUNTY JAILS EDUCATION PROGRAM – APPROVED**

Approve acceptance of an increase of \$28,103.08 in funding from the Arizona Department of Education, County Jails Education Program for the Maricopa County Sheriff's Office Jail Education Program that was approved by the Board of Supervisors on June 18, 2008 (C-50-08-578-3-ZZB/C-50-08-596-3-00). This Jail Education funding of \$302,103.08 will be through June 30, 2010. A funding request for this Program was included in the Sheriff's Office FY 2010 grant budget submission.

This increase will bring the funding total to \$302,103.08. The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this increase are estimated to be \$3,428.57. The Sheriff's Office has participated in the County Jails Education Program for approximately ten years. (C-50-08-596-3-01)

**11. IGA WITH COCONINO COUNTY FOR SHARING LAW ENFORCEMENT INFORMATION – APPROVED**

Pursuant to A.R.S. 13-3872, and in accordance with the provisions of A.R.S. Title 11, Chapter 7, Article 3, approve Intergovernmental Agreement (IGA) between Coconino County and Maricopa County on behalf of the Maricopa County Sheriff's Office (MCSO) for the purpose of sharing of law enforcement information through the AZLink program and the Coconino County Sheriff's Office as a client agency of the Regional Law Enforcement System, for which the Maricopa County Sheriff's Office is the authorized regional link for the Northern Arizona region.

This Agreement becomes effective when it is fully executed and filed with the Secretary of State and will remain in force for two years or until either part provides 60 days written notice of intent to terminate. (C-50-09-066-M-00)

**12. RETIREMENT AND TRANSFER OF SHERIFF'S K-9, "GATOR," TO HANDLER – APPROVED**

Pursuant to A.R.S. 11-251(9), approve the permanent retirement and transfer of custody of K-9 Unit dog, "Gator," (K97) to his respective Sheriff's Office handler. Gator is seven years old and failed his annual certification in July 2008. He underwent extensive training in an attempt to improve his ability to differentiate scents, but failed the certification test again in January 2009.

Gator is no longer able to serve his useful purpose in law enforcement and the Sheriff's Office recommends Board of Supervisors approval to release Gator to his handler. (C-50-09-067-M-00)

**13. DONATIONS – APPROVED**

In accordance with County Policy A2805, accept the monthly donation report received from Sheriff's Office for March 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-379-7-00)

**14. SALE AND TRANSFER OF EQUIPMENT TO TACTICAL SUPPORT POSSE – CONTINUED TO 5/6**

Pursuant to A.R.S. 11-251 (9), approve the sale for \$3,628 of County vehicle #31434, a 2004 Ford Expedition that is designated to go to auction to the Tactical Support Posse. The amount is the average auction value of two like vehicles sold at auction in the last 8 months. **UNANIMOUS CONSENT OF THE BOARD IS REQUIRED.** This item was continued from the March 18, 2009 and April 1, 2009 meetings. (C-50-09-057-M-00)

**Superintendent of Schools**

**15. 2009 TITLE II-A GRANT (IMPROVING EDUCATOR QUALITY – 2009 AZ ESA PROFESSIONAL DEVELOPMENT PROJECT) – APPROVED**

Approve the Application for and the acceptance of \$144,818.86 for the 2009 AZ ESA Professional Development Project (2009 Title II-A Teacher and Principal Recruiting Fund) from the US Department of Education (USDE) for targeted teachers of middle school science in Maricopa County. The term of the contract will be 14-months, anticipated to begin July 1, 2008, through August 31, 2009. This grant is non-renewable.

MCSOS's indirect rate for FY 2009 is 19.50 percent. The restricted indirect cost rate allowed by this grant source is 0.00 percent. Recoverable indirect costs are \$0. The restricted indirect cost rate unallowable by this grant source is 19.50 percent. Unrecoverable indirect costs on this award are \$28,239.68.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

This 14-month grant from the Arizona Department of Education (ADE) will provide training for teachers in Maricopa County who do not, or will not by the state-imposed deadline, have the appropriate credentials to teach the subject and grade level to which they are assigned. It is the objective of this grant program to provide these teachers with professional development to help them gain those credentials, with an emphasis on middle school Mathematics and Science. Also, this grant program will provide some content instruction expenses. (C-37-09-013-G-00)

**16. 2009 TITLE III CONSORTIUM (ENGLISH LANGUAGE ACQUISITION ENHANCEMENT AND ACADEMIC ACHIEVEMENT) GRANT – APPROVED**

Approve the application for and the acceptance of \$82,616.00 for the 2009 Title III Consortium – English Language Acquisition Language Enhancement and Academic Achievement grant (T365A30003A) from the Arizona Department of Education (ADE). The purpose of this formula-based grant is to improve instructional services for English Language Learner students and families of Local Educational Agencies (LEAs) within the Maricopa County Educational Service Agency (ESA) Title III Consortium CTDS#079999001. The term of the contract will be one year, anticipated to begin July 1, 2008, through June 30, 2009. This grant is non-renewable.

MCSOS's indirect rate for FY 2008-09 is 19.50 percent. The restricted indirect cost rate allowed by this grant source is 0.00 percent. Recoverable indirect costs are \$0. Unrecoverable indirect costs on this award are \$16,110.12.

Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. § 42-17105.

This 12-month grant from the Arizona Department of Education (ADE) is written to provide high quality professional development for membership schools via a series of real time Webinar trainings and provide schools with current methods of the instruction for English Language Learner students, as well as instructional materials. The grant allows for the



purchase of supplemental materials for the classroom that are in accordance with ADE requirements for effective state mandated Sheltered English Immersion instruction. (C-37-09-014-G-00)

## **DEPUTY COUNTY MANAGER**

### **Public Health**

**17. AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDING FOR INCREASE SERVICES TO HEALTH CENTERS – APPROVED**

Authorize the acceptance of Notice of Grant Award (H8BCS12295) for \$237,718 in federal funds from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) awarded to Maricopa County by and through its Department of Public Health for the purpose of funding the Healthcare for the Homeless (HCH) Program. This grant is through the American Recovery and Reinvestment Act of 2009 and has been reviewed and authorized by the County Manager's Recovery Committee. The grant begins on March 27, 2009 and ends on March 26, 2011.

The grant allows an 18% rate for indirect costs for the administration of the grant. The Maricopa County Department of Public Health FY 2009-10 indirect rate is 18%. The recoverable indirect cost of administering the grant is \$36,262.

Funding for this contract is provided by Federal Recovery funds through a grant from HRSA, and will not affect the County general fund. Budget for personnel allocation out will be supported by HCH program income with a current excess balance of \$123,400. Execution of this award is anticipated to generate additional income in the amount of \$33,150. (C-86-09-061-G-00)

**18. AMENDMENT TO LEASE NO. L-7369 WITH 4041 CENTRAL PLAZA LLC – APPROVED**

Approve and execute Amendment No. 1 to Lease No. L-7369 with 4041 Central Plaza, LLC, as Lessor, for office space located at 4041 N. Central Avenue, Phoenix, AZ. Lease Amendment No. 1 modifies the leased premises by eliminating the leased office space on the 15th Floor in its entirety resulting in a reduction in the rentable area from approximately 32,048 square feet of office space to approximately 16,024 square feet of office space. Lease Amendment No. 1 extends the term of the lease for three years commencing on April 1, 2010 and terminating on March 31, 2013. Additionally, Lease Amendment No. 1 eliminates the County's right to terminate the lease at the end of the 40th month with a termination fee equal to four month's rent. Base Rental rates during the three year lease extension are as follows:

<b>Year</b>	<b>Rate</b>	<b>Monthly</b>
04-01-10 to 03-31-11	\$17.90 s/f	\$23,902.47, plus rental tax and O&M expenses
04-01-11 to 03-31-12	\$18.15 s/f	\$24,236.30, plus rental tax and O&M expenses
04-01-12 to 03-31-13	\$18.40 s/f	\$24,570.13, plus rental tax and O&M expenses

LESSEE shall continue to pay its pro rata share of increases in operating expenses and real estate taxes above the Base Year of 2005 grossed up to 95% occupancy.

This first lease amendment allows Public Health Administration to reduce its lease expenses. The subject Amendment No. 1 to Lease L-7369 was reviewed and endorsed by the Facilities Review Committee on March 26, 2009. (C-86-05-621-4-01)



**19. GRANT FOR THE FIRST THINGS FIRST - INJURY PREVENTION IN CENTRAL PHOENIX GRANT – APPROVED**

Approve the grant application to Arizona Early Childhood Development and Health Board, First Things First (FTF-RC013-10-0006-00) by the Department of Public Health for the First Things First's Injury Prevention in Central Phoenix grant. If awarded, the amount will not exceed \$267,000 for the budget term beginning July 1, 2009 through June 30, 2010. Funding amount is tentative pending the approved grant award upon acceptance by the First Things First designee. This contract can be renewed by First Things First on a year to year basis for a total three year term.

Also, authorize the Chairman to sign all relevant documents pertaining to this grant.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 09-10 is 18%; therefore \$24,273 is allowable and \$19,418 is unallowable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation.

Funding for this grant will be provided by First Things First and will not affect the County general fund. (C-86-09-062-G-00)

**20. GRANT FOR THE FIRST THINGS FIRST - NURSE-FAMILY PARTNERSHIP HOME VISITATION IN SOUTH PHOENIX GRANT – APPROVED**

Approve the grant Application and Amendment #1 to the Arizona Early Childhood Development and Health Board, First Things First (FTF-MULTI-10-0007-00) by Maricopa County through its Department of Public Health for the Nurse-Family Partnership Home Visitation in South Phoenix grant. If awarded the amount will not exceed \$1,000,000 for the budget term beginning July 1, 2009 through June 30, 2010. Funding amount is tentative pending the approved grant award by the First Things First designee. This contract can be renewed by First Things First on a year to year basis for a total three year term.

Also, authorize the Chairman to sign all documents related to these grant funds, as applicable.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 2009-10 is 18%; therefore \$45,456 is allowable and \$36,364 is unallowable. Of the total award, an estimated \$500,000 will be sub recipient costs and will not be subject to indirect costs.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation.

Funding for this grant will be provided by First Things First and will not affect the County general fund. (C-86-09-063-G-00)

**21. GRANT FOR THE FIRST THINGS FIRST - FAMILY VISITATION IN SOUTH PHOENIX GRANT – APPROVED**

Approve the grant application and Application Amendment #1 (FTF-RC014-10-0029-00) to

Arizona Early Childhood Development and Health Board, First Things First by the Department of Public Health for the First Things First's Family Visitation in South Phoenix grant. If awarded, the amount will not exceed \$ 750,000 for the budget term beginning July 1, 2009 through June 30, 2010. Funding amount is tentative pending the approved grant award upon acceptance by the First Things First designee. This contract can be renewed by First Things First on a year to year basis for a total three year term. If awarded, an agenda item will be submitted requesting appropriation adjustment.

Also, authorize the Chairman to sign all documents related to these grant funds, as applicable.

This grant deviates from County policy A2505 and does not allow for full indirect cost reimbursement, but a maximum of 10% indirect cost reimbursement. The Department of Public Health's indirect rate for FY 2009-10 is 18%; therefore \$68,182 is allowable and \$54,545 is unallowable.

Funding for this grant will be provided by First Things First and will not affect the County general fund. (C-86-09-064-G-00)

**22. TERMINATION OF PARTNERSHIP AGREEMENT WITH 1 VOICE COMMUNITY CENTER  
– APPROVED**

Approve termination of a non-financial Partnership Agreement (PA) between 1 Voice Community Center (1VCC) and Maricopa County by and through the Department of Public Health (MCDPH), HIV/HCV Infection Control and Surveillance Program. Pursuant to Paragraph 5, "Any of the parties, in writing, may terminate the instrument in whole, or in part, at any time before the date of expiration." The PA term was from December 1, 2008 to December 31, 2009.

1 Voice Community Center submitted a letter of termination to Maricopa County through its Department of Public Health on March 11, 2009 with a requested termination date of March 1, 2009. (C-86-09-039-3-01)

**23. BUDGET INCREASE TO THE AZ DES REFUGEE SCREENING MEDICAL ASSISTANCE PROGRAM – APPROVED**

Approve budget increase to the Arizona Department of Economic Security (DES) Contract Number E6305001 for the Department of Public Health's Refugee Screening Medical Assistance Program. This contract has two funding streams from DES and the revenue base to fund the medical procedures and supplies is uncapped. Based on a per person revenue base increase, the fee-based reimbursement is estimated to increase by \$1,000,000 bringing the total budget amount for this term to \$2,000,000. The budget term for this increase will be from July 1, 2008 through June 30, 2009.

Maricopa County Department of Public Health's indirect rate is currently 18.0%. This grant allows for full indirect; therefore, \$152,542 is recoverable.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this Contract are provided by a grant from DES and fee-based reimbursements and does not affect the County's general fund. (C-86-04-064-2-09)

**24. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR THE PUBLIC HEALTH PHYSICAL ACTIVITY PROGRAM – APPROVED**

Approve Amendment No. 1 to Intergovernmental Agreement (IGA) (No. HG854371) between the Arizona Department of Health Services (ADHS) and Maricopa County through

its Department of Public Health to provide the Public Health Physical Activity Program. Amendment No. 1 replaces the Scope of Work of the original contract with a revised Scope of Work. This amendment also replaces Price Sheet of original contract with a revised Price Sheet for a total funding amount of \$123,488 for budget period April 1, 2009 through March 31, 2010. In addition, this amendment adds Attachment One. The term of this IGA is April 1, 2008 through March 31, 2013.

The Department of Public Health's FY2008-09 indirect rate is 18%. Grant indirect costs are reimbursed at a rate of 10%. Full indirect costs are estimated at \$20,207 of which \$11,226 is recoverable and \$8,981 is unrecoverable.

All other terms and conditions of the original IGA remain unchanged and in full force and effect.

FY 2008-09 adopted budget included an estimated portion of this grant award in the amount of \$32,500. Funding for this agreement is provided by a grant from ADHS and will not impact the County general fund budget. (C-86-08-073-2-01)

**25. PURCHASE ORDER FOR PUBLIC HEALTH EMERGENCY MANAGEMENT PROGRAM FOR WAREHOUSING SITES – APPROVED**

Approve the Purchase Order (E9H30091) from Arizona Department of Health Services (ADHS) to Maricopa County through its Department of Public Health for additional funding for the Intergovernmental Agreement (IGA) HG754199 for the Public Health Emergency Management Program (PHEM). The purchase order allows to encumber in full a not-to-exceed \$4,800 for the budget period starting September 1, 2008 through August 31, 2009, bringing the new total not to exceed \$2,624,371.

The Department of Public Health indirect rate for FY 2008-09 is 18.0%. Indirect costs are estimated at \$864 all of which are not recoverable. This purchase order is to specifically fund additional storage cost for the warehousing of alternative care supplies and is not allowed to charge indirect.

The overall grant budget will be adjusted as necessary to accommodate this grant through a future reconciliation. Funds for this IGA are provided by a grant from ADHS and does not affect the County's general fund. (C-86-07-050-2-06)

**ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

**Animal Care & Control Services**

**26. DONATION FROM FRIENDS OF ANIMAL CARE AND CONTROL – APPROVED**

Accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$120,220 and the Foster Program in the amount of \$3,888.55. The total donation received was in the amount of \$124,108.55 which supports one position in the Foster Program. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-084-D-00)

**27. DONATION FROM STEVEN JENSEN – APPROVED**

Accept the monetary donation from Steven Jensen of Mesa, AZ in the amount of \$500 for the care of the animals. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-087-D-00)

**28. AGREEMENT WITH WHITE GERMAN SHEPHERD RESCUE FOR NEW HOPE PROGRAM – APPROVED**

Approve an Agreement between Nancy H. Swanner, d.b.a. White German Shepherd Rescue, 2807 W. Michelle Drive, Phoenix, AZ 85053, and Maricopa County to allow White German Shepherd Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 15 new hope rescues over the term of the agreement, for a total of \$600. The term of this Agreement is from July 1, 2009 through June 30, 2012. (C-79-09-083-3-00)

**29. AGREEMENT WITH KIT KAT RESCUE FOR NEW HOPE PROGRAM – APPROVED**

Approve an Agreement between Kit Kat Rescue, a 501 (C) 3 non-profit corporation, P. O. Box 2006, Chandler, AZ 85244, and Maricopa County to allow Kit Kat Rescue under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 22 new hope rescues over the term of the agreement, for a total of \$880. The term of this Agreement is from April 15, 2009 through June 30, 2010. (C-79-09-085-3-00)

**30. AGREEMENT WITH SPRINGERPAW RANCH RESCUE & SANCTUARY FOR NEW HOPE PROGRAM – APPROVED**

Approve an Agreement between Deborah Bessette, d.b.a. Springerpaw Ranch Rescue & Sanctuary, P. O. Box 1024, Tonopah, AZ 85354-0904, and Maricopa County to allow Springerpaw Ranch Rescue & Sanctuary under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the Contractor. The cost for these services is \$40 for each animal rescued. Animal Care & Control estimates 120 new hope rescues over the term of the agreement, for a total of \$4,800. The term of this Agreement is from July 1, 2009 through June 30, 2012. (C-79-09-086-3-00)

**Human Services**

**31. AMENDMENT TO IGA WITH TOWN OF FOUNTAIN HILLS FOR SPECIAL TRANSPORTATION SERVICES – APPROVED**

Approve Amendment No. 3 to the Intergovernmental Agreement (IGA) by and between the

Town of Fountain Hills, administered by its Deputy Town Manager's Office, and Maricopa County, administered by its Human Services Department (HSD). This amendment will modify Section III. Payment. This amendment will also add Attachment B to the IGA. All other terms and conditions of the IGA remain in full force and effect. This amendment is in effect from the date of approval through June 30, 2012.

The transportation service will be provided to the City's elderly, disabled and low-income participants for travel throughout Maricopa County. (C-22-08-154-3-04)

## **CHIEF FINANCIAL OFFICER**

### **Finance**

#### **32. FUNDS TRANSFERS; WARRANTS – APPROVED**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

#### **33. DECLARE AS SURPLUS AND AUTHORIZE THE REMOVAL OF THE IMPROVEMENTS AT 358 N. 5TH AVENUE – APPROVED**

Declare as "Surplus property of little or no value" the improvements at 358 N. 5th Avenue in Phoenix, Arizona and authorize the removal of the surplus property from the site.

The County is required to clear the property at 358 N. 5th Avenue of improvements prior to the finalization of a land exchange previously authorized by the Board at Agenda Item C-18-09-033-8-00. The land exchange is scheduled to take place on or before May 31, 2009. County staff will review the various opportunities for efficient and expedient removal of the surplus property. On March 26, 2009, the Facilities Review Committee endorsed the declaration of the improvements as surplus and endorsed an expedient removal of the site improvements. (C-18-09-051-8-00)

#### **34. SALE OF REAL PROPERTY OF THE AVONDALE FAMILY HEALTH CLINIC TO THE CITY OF AVONDALE – APPROVED**

Deem as advantageous for Maricopa County to sell, and authorize and approve the sale of, approximately 450 square feet of real property (30' X 30' triangle), at the Avondale Family Health Clinic located at the northwest corner of Van Buren and Eliseo Felix Jr. Way, to the City of Avondale for the purchase price of \$8,650.00, and authorize the Chairman to execute all necessary documents approved by County Counsel for the sale of the property. The Facilities Review Committee supports the sale of the property.

On August 20, 2008, the Board of Supervisors granted a Right of Entry (C-18-09-012-8-00) to the City to begin construction of the traffic signal and negotiations for the purchase of the subject property. The City of Avondale has made a written offer to purchase the 450 square feet for \$8,650.00. This agenda item will authorize the selling of the property for the installation and maintenance of a traffic signal at the intersection of Van Buren and Eliseo Felix Jr. Way and will authorize the Chairman to execute all necessary documents approved by County Counsel to sell the property. **THIS ITEM REQUIRES A UNANIMOUS APPROVAL OF THE BOARD OF SUPERVISORS.** This item was continued from the February 25, 2009; March 18, 2009 and April 1, 2009 meetings. (C-18-09-043-8-00)

**35. FACILITIES USE AGREEMENT WITH THE ARIZONA BOARD OF REGENTS, AN AGENCY OF THE STATE OF ARIZONA, FOR AND ON BEHALF OF THE UNIVERSITY OF ARIZONA – APPROVED**

Pursuant to A.R.S. §11-251(9), approve a Facilities Use Agreement (G-30119) between Maricopa County and the Arizona Board of Regents, an agency of the State of Arizona, for and on behalf of the University of Arizona and its College of Medicine (the “University”) for the use of Maricopa County property as a gross anatomy teaching lab at the Forensic Science Building located at 701 W. Jefferson Street in Phoenix.

This Facilities Use Agreement (G-30119) will allow the University to reconfigure and use approximately 1,000 square feet of vacant space in the Forensic Science Building to conduct gross anatomy classes. In addition, this agreement will allow the University the use of up to 60 parking spaces in the adjacent parking structure if parking spaces are available. The effective date of the Agreement is upon execution by the parties and will terminate June 30, 2012, unless extended by the University, at Maricopa County’s sole discretion, through three one-year renewal options. With prior written notice, Maricopa County may reduce the number of parking spaces in the Forensic Science Garage made available to the University. The University will reimburse Maricopa County \$12,000 per year for the use of the lab space and \$35 per month per parking space for the use of parking spaces at the Forensic Science Garage. The University is responsible for all costs associated with the reconfiguration of the lab space and for all utility, operating, and maintenance costs associated with the University’s use of the lab space. **THIS ITEM REQUIRES A UNANIMOUS APPROVAL OF THE BOARD OF SUPERVISORS.** This item was continued from the March 18, 2009 and April 1, 2009 meetings. (C-18-09-044-1-00)

**36. POWER DISTRIBUTION EASEMENT FOR ELECTRICAL SERVICE FOR THE NEW VISITORS CENTER AT USERY MOUNTAIN REGIONAL PARK – APPROVED**

Approve and authorize the granting of a Power Distribution Easement, without a public auction pursuant to A.R.S. 11-251 (9), to Salt River Project Agricultural Improvement and Power District (SRP), its successors and assigns, in consideration of \$1.00, to construct, operate, and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service for the new Visitors Center at Usery Mountain Regional Park, and authorize the Chairman to execute the necessary Power Distribution Easement. This item was endorsed by the Facility Review Committee on February 24, 2009. **THIS ITEM REQUIRES THE UNANIMOUS CONSENT OF THE BOARD.** This item was continued from the March 18, 2009 and April 1, 2009 meeting. (C-18-09-045-8-00)

**Materials Management**

**37. SOLICITATION SERIALS – APPROVED**

Approve the following solicitation serial items. The action on the following items is subject to

Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

**a. HELICOPTER/AIRCRAFT PARTS, ACCESSORIES & REPAIR SERVICE**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 06082-C

Item: Helicopter/Aircraft Parts, Accessories & Repair Service (\$114,202.73) Increase price agreement value from \$520,000.00 to \$634,202.73. Increase price agreement value from \$520,000.00 to \$634,202.73.00. This \$114,202.73 increase is being requested by the Sheriff's Office to allow the department to continue providing routine maintenance and repairs. The Board of Supervisors approved the initial price agreement on October 18, 2006 in the amount of \$500,000.00. Subsequently Materials Management approved an increase of \$20,000.00 on December 24, 2008. This price agreement has an expiration date of October 31, 2009. (C-73-09-065-7-00)

**Aero Products Component Service**  
**Aeromaritime America Inc.**  
**Heliponents Inc.**

**b. STREET SWEEPERS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 09017-C

Item: Street Sweepers (\$425,000 estimate/one year) Price agreement to purchase two (or more) new 2007 model year or later street sweepers for the Equipment Services Department as additions to the County fleet. (C-73-09-063-7-00)

**Norwood Equipment**

**c. DARK FIBER SERVICES**

Approve an increase in the price agreement for the following contracts. This request is due to an increased usage by county departments.

Serial: 08067-ITN

Item: DARK FIBER SERVICES (\$700,000) Increase price agreement value from \$502,500 to \$1,202,500. Increase contract value from \$502,500 to \$1,202,500. This \$700,000 increase has been recommended to execute a lease for dark fiber services from the downtown campus to the Scottsdale disaster recovery center. This contract was initially approved by the Board on their February 11, 2009 agenda. Expiration date is January 31, 2014. (C-73-09-062-7-00)

**AGL Networks, LLC**

**d. FLOORING REPAIR SERVICES**



Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

Serial: 08125-S

Item: Flooring Repair Services (\$500,000 estimate/three years until April 30, 2012 with three one-year renewal options) Price agreement for hard flooring maintenance and repairs throughout Maricopa County. (C-73-09-064-7-00)

**ACB Construction  
Wholesale Floors, LLC  
America's Contracting Service**

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Public Works**

#### **38. BUDGET ADJUSTMENT FOR TRANSPORTATION IMPROVEMENT PROGRAM – APPROVED**

Pursuant to A.R.S. 42-17106 (B), approve an amendment to the current FY2009-2013 five-year Transportation Improvement Program (TIP) in the Public Works Department of Transportation (910) Transportation Capital Projects Fund (234), Year 1 (FY 2008-09) by decreasing the capital budgets for the following projects: Transportation Administration (TADM) Bin by \$900,000. County Arterials (ARTS) Bin by \$4,500,000. And, adjusting the following projects by increasing the FY2008-2009 (Year 1) capital budget for: Bridge Preservation (BRIG) Bin by \$3,000,000. Partnership Support (PSUP) Bin by \$900,000. Traffic Improvements (TIMP) Bin by \$1,500,000.

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount. These adjustments result in a net impact of zero and do not change the duly adopted budget as approved by the Board of Supervisors. In order to make the Department of Transportation Budget more administratively manageable, all MCDOT projects are placed into one of 12 Project "Bins" as follows: Transportation Administration, County Arterials, Bridge Preservation, Planning, Dust Mitigation, Partnership Support, Intelligent Transportation Systems, MAG ALCP Projects, Pavement Preservation, Right-of-Way, Safety Projects, and Traffic Improvement. For the reasons below, MCDOT requests permission to move excess funds from some Bins to cover emerging needs in others. From: County Arterials (ARTS) Project Bin, Job Number T083, MC 85: Cotton Lane – Estrella Parkway and Job Number T113, MC 85: 91st Avenue – 75th Avenue both have delays in right of way acquisitions for FY 2008-09. To: Bridge Preservation (BRIG) Project, Job Number T180, Cotton Lane Bridge at the Gila River has the final construction payment in FY09. Partnership Support (PSUP) Project Bin, Job number T087, Queen Creek Road: Arizona Avenue – McQueen Road has increased construction costs. Traffic Improvements (TIMP) Project Bin, has seven jobs with cost carry-overs from FY08 as well as two new traffic intersections that have met warrants requiring designs to be completed in FY 2008-09. These projects are located in Supervisor Districts: 1, 2, 3, 4 and 5 (C-91-09-113-M-00)

#### **39. ANNEXATION (RIGHT OF WAY) CITY OF AVONDALE – APPROVED**

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of Avondale of County right-of-way within: Indian School Road from Old Litchfield Road to Dysart Road, in accordance with Avondale Ordinance No. 1346-209. (Supervisory District No. 4) (C-91-09-161-M-00)

**40. ROAD ABANDONMENT (ROAD FILE NO. AB-225) – APPROVED**

Adopt Resolution AB-225 to abandon certain public ingress/egress in Whispering Ranch Unit 2, Block 4 in Bk 109 of maps, Page 15, in the vicinity of 307th Avenue and Galvin Street, per A.R.S. §28-7214, by extinguishing the easement which was conveyed to Maricopa County by means of an Declaration of Easement on August 25, 1965 and recorded by the Maricopa County Recorder as Docket 5696, page 167. Supervisory District No. 4 (C-91-09-158-M-00)

**41. ROAD ABANDONMENT (ROAD FILE NO. AB-220) – APPROVED**

Adopt Resolution AB-220 to abandon a portion of Peak View Road in the vicinity of 56th Street and Peak View Road, per A.R.S. §28-7214, by extinguishing a portion of the easement which was conveyed to Maricopa County by means of an Easement and Agreement for Highway Purposes on August 7, 1979 and recorded by the Maricopa County Recorder as Docket 13815, Page 216. Supervisory District No. 3 (C-91-09-159-M-00)

**42. ROAD ABANDONMENT (ROAD FILE NO. AB-179) – APPROVED**

Adopt Resolution AB-179 to abandon a portion of Old New River Road in the vicinity of New River Road and 7th Avenue, per A.R.S. §28-7214, by extinguishing the easement which was conveyed to Maricopa County by means of an Easement for Highway Purposes on August 13, 1971 in Docket 8883, Pages 580-581 and on September 14, 1971 in Docket 8944, Pages 72-73, Maricopa County Recorder. Supervisory District No. 3 (C-91-09-160-M-00)

## **BOARD OF SUPERVISORS**

### **Industrial Development Authority**

**43. RESOLUTION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE ISSUANCE OF ITS EDUCATION FACILITIES REVENUE BOND (SCNM PROJECT) SERIES 2009 – APPROVED**

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the issuance of its Education Facilities Revenue Bond (SCNM Project), Series 2009, to be issued in one or more series in an amount not-to-exceed \$11,000,000 aggregate principal amount.

This item is being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-047-4-00)

**44. RESOLUTION OF THE INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE ISSUANCE OF ITS HEALTH FACILITY REVENUE BONDS (CATHOLIC HEALTHCARE WEST PROJECT) SERIES 2009 – APPROVED**

Adopt a Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa, Arizona for the issuance of its Health Facility Revenue Bonds (Catholic Healthcare West Project), Series 2009, to be issued in one or more series in an amount not-to-exceed \$315,000,000 aggregate principal amount.

This item is being considering by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board of Supervisors approve the proceedings under which bonds of The Industrial Development Authority of the County of Maricopa are issued. (C-18-09-049-4-00)

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Planning and Development**

#### **45. ZONING CASES – APPROVED**

Schedule Planning and Development public hearings on zoning cases and other matters for the May 6, 2009 meeting. (C-44-09-126-M-00)

### **Public Works**

#### **46. Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, May 20, 2009. – APPROVED**

##### **a. ROAD FILE NO. A375**

Adopt a Resolution to set a hearing on Road File No. A375, said alignment is also known as 7th Avenue, from Honda Bow Road to Cavalry Road, located in Supervisor District 3. (C-91-09-148-M-00)

##### **b. ROAD FILE NO. 5812**

Adopt a Resolution to set a hearing on Road File No. 5812 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-147-M-00)

##### **c. ROAD FILE NO. 5813**

Adopt a Resolution to set a hearing on Road File No. 5813 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-150-M-00)

**d. ROAD FILE NO. 5814**

Adopt a Resolution to set a hearing on Road File No. 5814 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-151-M-00)

**e. ROAD FILE NO. 5815**

Adopt a Resolution to set a hearing on Road File No. 5815 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-149-M-00)

**f. ROAD FILE NO. 5816**

Adopt a Resolution to set a hearing on Road File No. 5816 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-152-M-00)

**g. ROAD FILE NO. 5817**

Adopt a Resolution to set a hearing on Road File No. 5817 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-154-M-00)

**h. ROAD FILE NO. 5818**

Adopt a Resolution to set a hearing on Road File No. 5818 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-153-M-00)

**i. ROAD FILE NO. 5819**

Adopt a Resolution to set a hearing on Road File No. 5819 to Open and Declare

the following described alignments into the County Transportation System.

General Vicinity: Pinnacle Peak Road and 115th Avenue. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4 (C-91-09-156-M-00)

**j. ROAD FILE NO. 5820**

Adopt a Resolution to set a hearing on Road File No. 5820 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Warner Road and Meridian Drive. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 1 (C-91-09-155-M-00)

**k. ROAD FILE NO. 5821**

Adopt a Resolution to set a hearing on Road File No. 5821 to Open and Declare the following described alignments into the County Transportation System.

General Vicinity: Warner Road and Meridian Drive. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 1 (C-91-09-157-M-00)

## **CONSENT AGENDA**

### **Clerk of the Board**

**47. CHECK ENFORCEMENT FUND QUARTERLY REPORT – APPROVED**

In accordance with A.R.S. §13-1811(F) County Bad Check Trust Fund, receive the quarterly financial report from the County Attorney of all revenues and expenditures from the Check Enforcement Fund for the periods of July 2008 through March 2009. Report is on file in the Clerk of the Board's Office. (C-06-09-381-7-00)

**48. DUPLICATE WARRANTS – APPROVED**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-382-7-00)

**49. MARKET RANGES – APPROVED**

Pursuant to A.R.S §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-378-7-00)

**50. PRECINCT COMMITTEEMEN – APPROVED**

Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. List is on file in the Clerk of the Board's Office. (C-06-09-380-7-00)

**51. SECURED TAX ROLL CORRECTIONS – APPROVED**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-383-7-00)

**52. STALE DATED WARRANTS – APPROVED**

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-09-384-7-00)

**53. SETTLEMENT OF PROPERTY TAX CASES – APPROVED**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated April 15, 2009. List is on file in the Clerk of the Board's Office. (C-06-09-386-7-00)

**54. TAX ABATEMENTS – APPROVED**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-385-7-00)

**BOARD OF SUPERVISORS ADDENDUM**

**Clerk of the Board**

**A-1. EXECUTIVE COMPENSATION PACKAGE – APPROVED**

Approve an Executive Compensation Package (ECP) for Connie Copeland, the unclassified Deputy Clerk of the Board in the Clerk of the Board's Office, authorizing a deposit of 80 hours of PTO and 80 hours of FML to her leave balance(s) effective April 13, 2009.

If approved, this ECP agreement will authorize a deposit of 80 hours of PTO and 80 hours of FML to Connie Copeland's leave balance(s) effective April 13, 2009. (C-06-09-388-9-00)

**Human Services**

**A-2. AGREEMENT WITH MAXIMUS FOR SPECIAL TRANSPORTATION SERVICES WORK LINKS – APPROVED**

Approve subcontractor agreement between MAXIMUS and Maricopa County administered by its Human Services Department (HSD), for the provision of Special Transportation Services (STS) Worklinks program. The agreement is effective from October 1, 2008 until September 30, 2009. The purpose of this subcontractor agreement is for the provision of reimbursement for services provided to MAXIMUS participants as described in Exhibit 1 - Statement of Work for the amount not-to-exceed \$200,000.

The transportation service will be provided to MAXIMUS participants who lack adequate transportation and are employed or preparing for employment via MAXIMUS assigned work-preparation activities. HSD's FY 2008-09 indirect rate is 15.2%. Indirect expenses are fully

recoverable and are estimated at \$30,400. (C-22-09-138-3-00)

## **Risk Management**

### **A-3. RELEASE OF CLAIM APD5075042034508 – APPROVED**

Approve the release of the County's property damage claims against Mr. Avalos Villanueva in exchange for payment by his insurance carrier. Authorize the County Risk Manager to sign any documents to complete this release. This item was heard in executive session on April 13, 2009.

A copy of the signed release document will be provided to the Office of the Clerk of the Board. (C-75-09-009-P-00)

## **Emergency Management**

### **A-4. DIRECTOR OF EMERGENCY MANAGEMENT POSITION REQUEST – APPROVED**

Approve the creation of an Unclassified position (Director - Emergency Management) in the Emergency Management Department. This position request is necessary due to the fact that the current Director is participating in the new Post Employment Health Enhancement (Retirement) Program (PEHPEP) which requires that the current position (#331) be eliminated. Creation of this position is necessary because the department can not operate without a Director position.

Approve an exemption to the PEHPEP in order to recruit externally for the newly created Unclassified Director - Emergency Management position with the range of \$37.44/Hour to \$47.72/Hour.

Position 331, in the Emergency Management Department, was inactivated due to the previous incumbent's participation in the 2009 Retirement Health Enhancement Program. This position's current attributes are as follows:

MRT: Director - Emergency Management  
Status: Unclassified  
Budgeted Rate: \$47.72

Due to the nature of this position, the Emergency Management Department feels it necessary to replace position 331 with a new position. The new position's attributes will be as follows:

MRT: Director - Emergency Management  
Status: Unclassified  
Budgeted Rate: \$47.72

Due to the impending retirement of a Planning Supervisor, the department will eliminate a vacant Planner position, and plans to reorganize with the creation of a Planner/Communications Manager position. This will result in achieving at least \$16,524 in savings as required under the 2009 Retirement Health Enhancement Program. Since Emergency Management has already achieved \$120,310 in budgetary reductions between the General Fund and the Emergency Management Fund for FY 2010, no further reductions are required at this time. (C-15-09-019-M-00)

## **Public Works**



**A-5. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-390-7-00)

**Environmental Services**

**A-6. SCHEDULE PUBLIC HEARING - PROPOSED MARICOPA COUNTY STORM WATER REGULATION – APPROVED**

Pursuant to A.R.S. §49-112, set a public hearing for May 6, 2009 to solicit comments and consider the adoption of a proposed Maricopa County Stormwater Quality Management and Discharge Control Regulation. Upon Board approval, this item will become effective from and after June 8, 2009. The adoption of this regulation also includes the adoption of approval and permit fees as outlined in Chapter 12 of the regulation.

Maricopa County meets the minimum federal requirements for designation by the United States Environmental Protection Agency (EPA) as a small Municipal Separate Storm Sewer operator or MS4. As a small MS4, the County is required by the Federal Water Pollution Control Act of 1972, commonly known as the Clean Water Act (as amended), to implement and enforce a program to improve to the maximum extent practicable the quality of Stormwater discharges from the County's Stormwater conveyance system within the unincorporated urbanized areas of the County.

Maricopa County may enact a Stormwater regulation pursuant to A.R.S. §11-251(66) and 49-371. Maricopa County, as a Municipal Separate Storm Sewer System under Phase II of the National Pollutant Discharge Elimination System (NPDES) Stormwater program of the Environmental Protection Agency (EPA) is empowered to regulate Stormwater by the authority of the Clean Water Act, 33 U.S.C. 1251 et seq.

This Regulation shall be known as the Maricopa County Stormwater Quality Management and Discharge Control Regulation. There are six minimum Stormwater control criteria required in the Phase II program by the federal regulations found at 40 CFR 122.34 and in the Arizona Phase II permit. They are:

1. Public education and outreach on stormwater impacts;
2. Public involvement and participation;
3. Illicit discharge detection and elimination;
4. Construction site Stormwater runoff control;
5. Post-construction Stormwater management in new development and redevelopment;
6. Pollution prevention/good housekeeping for municipal operations.

This Regulation meets Phase II permit requirements three, four and five. Requirements one, two and six are applicable to Maricopa County and do not require the adoption of language to regulate activities by others within the County areas covered by the Phase II permit.

The purpose of this Regulation is to provide for the health, safety, and general welfare of the citizens of Maricopa County through the prohibition of non-Stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This Regulation will also protect Waters of the U.S. within Maricopa County by improving the quality of the Stormwater runoff from urbanized areas to the County-owned system by means of the use of best management practices (BMPs) by the County and its

citizens.

This Regulation ensures that the County is compliant with its Arizona Pollutant Discharge and Elimination System (AZPDES) permit requirements by establishing methods for controlling the introduction of pollutants into the County's municipal separate storm sewer system (MS4). The objectives of this Regulation are:

1. To regulate the contribution of pollutants to the MS4 by Stormwater discharges in unincorporated urbanized areas by any user.
2. To prohibit illicit connections and discharges to the MS4.
3. To establish legal authority to carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with this Regulation.

**Stormwater Pre-Construction Phase: Fee**

Pre-Construction Plan Review \$1,050.00

Pre-Construction Site Inspection \$325.00

One Additional Review of Pre-Construction plans with minor revisions and One

Inspection of the Site Revisions \$670.00

Re-Inspection of site when corrections to the site have been made following a failed initial site inspection \$325.00

Expedited plan reviews and inspections are available at twice the standard fee Double fee

Note: Applicant will have to re-apply for the pre-construction permit if the revised plan or site inspection resulting from a revision or re-inspection of the site fails to get approval by the Department.

**Stormwater Post-Construction Phase: Fee**

Post-Construction Plan Review \$1,050.00

Post-Construction Site Inspection \$325.00

One Additional Review of Post-Construction Plans with Minor Revisions and One Inspection of the Site Revisions \$670.00

Re-Inspection of Site when Corrections to the Site have been made following a failed Initial Site Inspection \$325.00

Expedited Plan Reviews and Inspections are available at twice the standard fee Double fee

Note: Applicant will have to re-apply for the Post-Construction Permit if the Revised Plan or Site

Inspection resulting from a Revision or Re-Inspection of the Site fails to get Approval by the Department.

**Miscellaneous: Fee**

Inspections by Request \$325.00

**Waivers: Fee**

Fee Includes Document Reviews and Site Inspection \$2,425.00

**Permit Transfers: Fee**

The fees presented are for permits and permit related activity approvals issued to a newly listed owner-operator of the site. \$200.00

**Refunds:**

The client will be granted a 60% refund if the plan has not yet been assigned to department plan review staff. No refunds will be made after the department has started review of the client's plans. (C-88-09-008-7-00)

**FLOOD CONTROL DISTRICT AGENDA**

**F-1. SELL EXCESS PARCEL NEAR SUNNYCOVE FLOOD RETARDING STRUCTURE – APPROVED**

Pursuant to A.R.S. §48-3603 authorize the Flood Control District of Maricopa County (District) to sell excess parcel as described below at public auction or in the event of sale to a municipality, at market value without an auction to reduce the District's liability and maintenance, and generate revenue for future projects. Conveyance documents for the sale of the parcel will be presented to the District Board of Directors for consideration at the time of the sale.

The parcel is described as a portion of APN 505-28-014B, Flood Control Parcel N-2095 and is a vacant parcel of land located approximately ¼ mile upstream of Sunnycove Flood Retarding Structure (FRS) in Wickenburg, consisting of 0.35 acre +/- . It was acquired as part of the Sunnycove FRS project, and is no longer needed by the District for flood control purposes. This item is located in Supervisory District 4.

The District utilizes its Disposition Program on all excess properties and evaluates and analyzes them for the best potential of sales or leasing depending upon current market information. The sale price of the property will be market value, to be determined by a certified licensed appraiser. (C-69-09-058-8-00)

**F-2. RESOLUTION FOR CLOUD ROAD AND SOSSAMAN ROAD BASIN AND OUTLET – APPROVED**

Adopt Resolution FCD 2009R004 for the Cloud Road and Sossaman Road Basin and Outlet (Project [#043]), authorizing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to advertise, select, negotiate, and award contracts for engineering and construction services; negotiate Intergovernmental Agreements; acquire rights-of-way; and include funding in the District's Five-Year Capital Improvement Program.

Flooding hazards threaten the developed area bounded approximately by Chandler Heights Road to the north, Power Road to the west, Sossaman Road to the east and Cloud Road to the south. Flooding of property has occurred in the area. The Town of Queen Creek completed a study of the area drainage features in March, 2003, and the study concluded drainage capacity is insufficient. To mitigate this hazard, the study recommended the implementation of this Project, tentatively consisting of a basin southeast of the intersection of Sossaman Road and Cloud Road, and an outlet north along Sossaman Road to Sonoqui Wash. This item impacts Supervisory District 1. (C-69-09-057-6-00)

**F-3. ROADWAY EASEMENT WITH THE CITY OF PHOENIX – APPROVED**

Authorize the Chairman to sign a non exclusive slope and drainage easement to the City of Phoenix which is needed for the expansion of a roadway project. The revenue the easement will bring to the Flood Control District of Maricopa County (District) is \$301,959 and was determined by a certified appraiser. The slope and drainage area is 71,895 square feet and is located near the Adobe Dam area near 35th Avenue and Pinnacle Peak known as the District Parcel Number P-6611.

The non exclusive slope and drainage easement is the final step in completing the

expansion of Pinnacle Peak Road and 35th Avenue by the City of Phoenix traffic engineering group. The final step in the completion of the process is for the Board of Directors of the District to approve this final non exclusive slope and drainage easement document which has already been approved by the City of Phoenix Deputy Finance Director. This item is located in Supervisory District No. 4. (C-69-09-060-8-00)

**F-4. RESOLUTION FOR BUCKEYE FLOOD RETARDING STRUCTURE NO. 1 REHABILITATION PROJECT – APPROVED**

Adopt Resolution FCD 2009R007, for the Buckeye Flood Retarding Structure (FRS) No. 1 Rehabilitation Project (the PROJECT [#207]) authorizing Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to budget and expend PROJECT funding in current and future Five-Year Capital Improvement Programs; negotiate IGAs with Natural Resources Conservation Service (NRCS) and other governmental agencies; procure and award contracts for engineering and construction services; allocate funds in current and future Five-Year CIP budgets to pay for the PROJECT; conduct permitting activities; and obtain necessary land rights.

Several non-emergency dam safety deficiencies have been identified at Buckeye FRS No.1, and the District has completed a planning study which analyzed alternatives to correct the deficiencies, maintain the flood control benefits to downstream properties, and comply with state dam safety requirements. The District has also coordinated with and obtained input on the PROJECT from the Town of Buckeye, local stakeholders and the public. The selected alternative, which best meets project goals and objectives, involves the overall rehabilitation of the dam. This item impacts Supervisory District 4. (C-69-09-061-6-00)

**FLOOD CONTROL DISTRICT ADDENDUM**

**FA-1. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS – APPROVED**

Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. The list is on file in the Clerk of the Board's Office. (C-06-09-389-7-00)

**LIBRARY DISTRICT AGENDA**

**L-1. DONATIONS – APPROVED**

In accordance with County Policy A2805, accept the monthly donation report received from Library District for March 2009. Donation reports are on file in the Clerk of the Board's Office. (C-06-09-377-7-00)

**LIBRARY DISTRICT ADDENDUM**

**LA-1. POLARIS EXPANSION – APPROVED**

Approve the expansion of the Polaris on-line integrated library automation system.

Also, approve an increase to the FY 2008-09 Library District (650) Library District Fund (244) Non-Recurring/Non-Project (0001) expenditure budget in the amount of \$320,600. This amount is the necessary funding for the one-time expansion of the on-line integrated Polaris Automation System. The expansion is necessary in order for the District to continue to support the current and future usage levels. The District's customers utilize the system for resume preparation, job searches and on-line job applications to name a few. Future recurring maintenance charges will be included in the Library District FY 10 and future budget requests.  
(C-65-09-011-2-00)

**LA-2. AGREEMENT WITH THE SUN CITY LIBRARY, INC. BOARD OF DIRECTORS – APPROVED**

Approve an Agreement between the Sun City Library, Inc. Board of Directors (Library) and Maricopa County Library District (District), for the purpose of the Library donating, at no cost, all the contents of its two libraries to the Maricopa County Library District. The District agrees to provide library service to the Sun City residents and surrounding areas in leased space provided by the Recreation Centers of Sun City, Inc. The current employees of the Library shall become employees of the District on or before the District takes possession of the leased space. The agreement is effective from date of District approval and until the District no longer provides public library service at the sites of the leased space from the Recreation Centers of Sun City, Inc..

Sun City is unincorporated Maricopa County which is the Library District's primary service area. Their library Board of Directors has requested that the Library District take over the running of their library giving the District's specialized and renowned service to the citizens in the Sun City area. The approval of this item will require 1) increasing the Library District property tax rate in order to keep the levy at a level to cover the additional expense associated with this action, 2) a reduction in expenditures which may result in a reduction in service delivery, or 3) a combination of both. (C-65-09-009-3-00)

**LA-3. LEASE AGREEMENT WITH THE RECREATION CENTERS OF SUN CITY, INC. – APPROVED**

Approve and execute a new Full Service Lease No. L-7408 with Recreation Centers of Sun City, Inc. for 13,675 square feet of building, for use by the Library District, located at 16820 N. 99th Avenue, Sun City, AZ. Approve an increase to the FY 2009 Library District (650) Library District Fund (244) Operating (0000) expenditure budget in the amount of \$458,760. The lease period commences on date of occupancy and terminates on five years. One additional five-year term. Annual rents, not including operations and maintenance fees and rental tax, for the initial term are:

Year	Price Per Square Foot	Monthly Property Rents	Annual Property Rents
1	\$8.00	\$9,116.67	\$109,400.00
2	\$8.40	\$9,572.50	\$114,870.00
3	\$8.80	\$10,028.33	\$120,340.00
4	\$9.20	\$10,484.17	\$125,810.00
5	\$9.60	\$10,940.00	\$131,280.00

The Sun City Library, Inc. Board of Directors has requested that the Library District take over the operation of their library. Sun City is unincorporated Maricopa County and the primary service area of the Library District. The Sun City Library is donating the contents of

both of their libraries to the District by separate Agreement. The library the District will be operating is housed in a building owned by the Recreation Centers of Sun City, Inc. The Recreation Centers' Board is willing to lease the District the space. The approval of this item will require 1) increasing the Library District property tax rate in order to keep the levy at a level to cover the additional expense associated with this action, 2) a reduction in expenditures which may result in a reduction in service delivery, or 3) a combination of both. (C-65-09-010-1-00)

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

55. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) – **NO ACTION**
56. Supervisors'/County Manager's summary of current events. – **NO ACTION**

**\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews.\*\*\***

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision or whether a procedural error may have occurred. New evidence is not considered at these hearings.**

## **CODE ENFORCEMENT REVIEW**

### **PZ-1. PUCILLO - V200601218 – UPHELD HEARING OFFICER'S ORDER OF JUDGMENT**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case V200601218, Pucillo (Supervisor District 2) (C-44-09-109-M-00)

### **PZ-2. DRAPPO - V200801159 – UPHELD HEARING OFFICER'S ORDER OF JUDGMENT**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case V200801159, Drappo (Supervisor District 2) (C-44-09-110-M-00)

### **PZ-3. GARCIA - V200801579 – UPHELD HEARING OFFICER'S ORDER OF JUDGMENT**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200801579, Garcia (Supervisor District 4). (C-44-09-111-M-00)

### **PZ-4. GREENLEE - V200700761 – REMAND TO HEARING OFFICER**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code

Violation Case No. V200700761, Greenlee (Supervisor District 4). (C-44-09-112-M-00)

**PZ-5. REYNAGA - V200600684 – CONTINUED TO 7/22**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V200600684, Reynaga (Supervisor District 4). (C-44-09-113-M-00)

\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\*

**PLANNING AND ZONING AGENDA**

**CONSENT AGENDA**

**1. PLAN OF DEVELOPMENT - PIERCE STORAGE – APPROVED**

Case Number: Z2008030  
Supervisory District: 4  
Applicant: PRC Design Group, LLC for AP Properties and Acre Five, LLC  
Location: South side of MC 85 and east of SR 85 (Oglesby Rd.) (in the central Buckeye area)  
Request: Precise Plan of Development for RVs and boat storage facility in the IND-2 zoning district  
Commission Action: Approve by a vote of 6-0 subject to staff recommended stipulations 'a' – 'r' .  
(C-44-09-120-7-00)

**2. FINAL PLAT: SHOPS AT CHAUNCEY RANCH – APPROVED**

Case Number: S2008020  
Supervisory District: 3  
Applicant: Levine Investments Limited Partnership  
Location: Southwest corner of Scottsdale Rd. and Mayo Blvd. (in the north Phoenix / Scottsdale area).  
Request: Re-plat in the C-2 CUPD zoning district (approx. 16.40 ac.)  
Commission Action: N/A  
(C-44-09-121-7-00)

**REGULAR AGENDA**

**3. TEXT AMENDMENT TO THE MARICOPA COUNTY LOCAL ADDITIONS AND ADDENDA REGARDING OUTSTANDING FEES AND FINES – APPROVED**

Case Number: TA2009002  
Supervisory District: All Districts  
Applicant: Commission-Initiated  
Location: Countywide



Request: Text Amendment with an effective date of June 1, 2009 to the Maricopa County Local Additions and Addenda regarding outstanding fees and fines and the scheduling of hearings, meetings, and approvals.

Commission Action: Unknown - scheduled for action by the Commission on 4/2/2009 with staff recommendation for approval.

\*Note: This case has been double advertised from the April 2nd Commission hearing. (C-44-09-114-7-00)

**4. TEXT AMENDMENT TO THE MARICOPA COUNTY ZONING ORDINANCE REGARDING OUTSTANDING FEES AND FINES – APPROVED**

Case Number: TA2009003

Supervisory District: All Districts

Applicant: Commission-Initiated

Location: Countywide

Request: Text Amendment with an effective date of June 1, 2009 to the Maricopa County Zoning Ordinance regarding outstanding fees and fines and the scheduling of hearings, meetings, and approvals.

Commission Action: Unknown - scheduled for action by the Commission on 4/2/2009 with staff recommendation for approval.

\*Note: This case has been double advertised from the April 2nd Commission hearing. (C-44-09-115-7-00)

**5. TEXT AMENDMENT TO THE MARICOPA COUNTY SUBDIVISION REGULATIONS REGARDING OUTSTANDING FEES AND FINES – APPROVED**

Case Number: TA2009004

Supervisory District: All Districts

Applicant: Commission-Initiated

Location: Countywide

Request: Text Amendment with an effective date of June 1, 2009 to the Maricopa County Subdivision Regulations regarding outstanding fees and fines and the scheduling of hearings, meetings, and approvals.

Commission Action: Unknown - scheduled for action by the Commission on 4/2/2009 with staff recommendation for approval.

\*Note: This case has been double advertised from the April 2nd Commission hearing. (C-44-09-116-7-00)

**6. TEXT AMENDMENT TO THE MARICOPA COUNTY COMPREHENSIVE PLAN AMENDMENT GUIDELINES REGARDING OUTSTANDING FEES AND FINES – APPROVED**

Case Number: TA2009005

Supervisory District: All Districts

Applicant: Commission-Initiated  
Location: Countywide  
Request: Text Amendment with an effective date of June 1, 2009 to the Maricopa County Comprehensive Plan Amendment Guidelines regarding outstanding fees and fines and the scheduling of hearings, meetings, and approvals.  
Commission Action: Unknown - scheduled for action by the Commission on 4/2/2009 with staff recommendation for approval.

\*Note: This case has been double advertised from the April 2nd Commission hearing. (C-44-09-117-7-00)

**7. TEXT AMENDMENT TO THE MARICOPA COUNTY DEVELOPMENT MASTER PLAN GUIDELINES REGARDING OUTSTANDING FEES AND FINES – APPROVED**

Case Number: TA2009006  
Supervisory District: All Districts  
Applicant: Commission-Initiated  
Location: Countywide  
Request: Text Amendment with an effective date of June 1, 2009 to the Maricopa County Development Master Plan Guidelines regarding outstanding fees and fines and the scheduling of hearings, meetings, and approvals.  
Commission Action: Unknown - scheduled for action by the Commission on 4/2/2009 with staff recommendation for approval.

\*Note: This case has been double advertised from the April 2nd Commission hearing. (C-44-09-118-7-00)

**8. COMPREHENSIVE PLAN AMENDMENT: HASSAYAMPA WASTE TIRE RECYCLE FACILITY – CONTINUED TO 5/20**

Case Number: CPA2008113  
Supervisory District: 5  
Applicant: RBF Consulting  
Location: Northeast corner of 331st Ave. and Salome Highway.  
Request: Comprehensive Plan Amendment (CPA) to change the land use category from Rural (0-1 d.u./ac.) to Industrial, in the Old U.S. Highway 80 Area Plan. \* See Notes below.  
Commission Action: Continued to May 7, 2009 by a vote of 5-1. (Note: the continuance was to allow additional time to address concerns raised by the Town of Buckeye.)

(C-44-09-119-7-00)

**9. SPECIAL USE PERMIT: HASSAYAMPA WASTE TIRE COLLECTION AND RECYCLING FACILITY – CONTINUED TO 5/20**

Case Number: Z2008119  
Supervisory District: 5  
Applicant: RBF Consulting

Location: Salome Hwy. approx. 1,951 ft. from the southwest corner of Salome Hwy. and 331st Ave. (in the Tonopah area)  
Request: Special Use Permit (SUP) for an Interim Industrial Use in the Rural-43 zoning district – with 24-hour emergency vesting  
Commission Action: Continued to May 7, 2009, by a vote of 5-1. (Note: the continuance was to allow additional time to address concerns raised by the Town of Buckeye.)  
(C-44-09-122-7-00)

**10. SPECIAL USE PERMIT: ARIZONA OLYMPIAN GYMNASTICS – APPROVED AS AMENDED**

Case Number: Z2007003  
Supervisory District: 1  
Applicant: Beus Gilbert, PLLC  
Location: West of Gilbert Road at the Eastern Canal and north of Brooks Farm Road (in the Chandler area)  
Request: Special Use Permit (SUP) for the Arizona Olympian Gymnastics Facility in the Rural-43 zoning district – with 24-hour emergency vesting  
Commission Action: By a vote of 6-0, recommended Approval subject to staff recommended stipulations "a" through "z".

\*Note: Applicant has requested 24-hour emergency vesting.

Stipulation "z" was added at the Commission hearing as follows:

The applicant shall resolve all outstanding design issues to demonstrate compliance with drainage regulation of Maricopa County. At the time of construction permit application the applicant shall address all items identified in the drainage review comment memo dated 04/02/2009. (C-44-09-123-7-00)

**11. SPECIAL USE PERMIT - RISEN SAVIOR LUTHERAN CHURCH – APPROVED**

Case Number: Z2008045  
Supervisory District: 1  
Applicant: Garry Hays, Attorney at Law  
Location: Southwest corner of Oakwood Lakes Blvd. and Alma School Rd. (in the Sun Lakes area)  
Request: Special Use Permit (SUP) for a private school (Pre K-8), child daycare and adult daycare in R1-6 zoning district\*See notes below.  
Commission Action: By a vote of 6-0, recommended Approval subject to staff recommended stipulations "a" – "w".

\*Note: Applicant has requested 24-hour emergency vesting.

\*Note: Requires a super-majority vote for SUP approval. (C-44-09-124-7-00)

**12. SPECIAL USE PERMIT - WHITE TANKS REMOTE RADIO ANTENNA – APPROVED**

Case Number: Z2009005  
Supervisory District: 4  
Applicant: Arizona American Water

Location: Approx. 2,551' east of Jackrabbit Tr. (195th Ave.) at the end of Minnezona Ave.  
(in the Buckeye area)

Request: Special Use Permit (SUP) for a radio (transmitter) antenna tower in the Rural-43  
zoning district\*See notes below.

Commission Action: Unknown – scheduled for action by the Commission on April 2, 2009 with staff  
recommendation for approval.

\*Note: this case has been double advertised from the April 2, 2009 Commission hearing. (C-44-09-125-7-00)